

Remarks/Arguments

The drawings have been amended, and the amendments are shown on the Replacement Sheets attached hereto. The claims have been primarily amended to correct idiomatic errors. Even in light of these amendments, no new matter has been added. It would be appreciated if the Examiner would indicate the acceptance of this amendment in the next office communication.

Drawings

The Examiner is requiring new drawings. Accordingly, the drawings have been amended in compliance with 37 CFR 1.121(d), and the amendments are reflected in the Replacement Sheets attached hereto.

Claim Rejections - 35 USC § 102

The Examiner has rejected claims 1-4 under 35 U.S.C. § 102(b) as being anticipated by Henegar (US Pat. No. 6,610,159). However, the Henegar reference does not teach every element of claim 1 and the claims depending therefrom. Thus, as explained in detail below, withdrawal of this rejection is respectfully requested.

The present invention is directed to an apparatus 1 for

joining roof covering materials. The apparatus 1 comprises a wagon 4, a hot air aggregate 8 for blowing hot air onto the roofing materials, and a nozzle 9 for directing the heated air. The hot air aggregate 8 is attached to the wagon 4 via a hinge 11 so that the hot air aggregate 8 is "turnable sideways." As shown by Fig. 1, the hinge 11 allows the hot air aggregate to pivot inwardly to a position between covering layers 6,7.

The hot air aggregate 8 is received in a fastening means 21 having an adjustable handle 22, as shown in Fig. 1. The hot air aggregate 8 is spring loaded into the fastening means 21 by a suitable means, such as magnet lock or a ball lock.

The apparatus 1 further comprises at least one operating pressure roller 10 and an extra pressure roller 20 located behind an operating pressure roller 10. The extra pressure roller 20 is telescoping mounted to the apparatus 1 so that the roller 20 can upwardly and downwardly relative to the roofing materials to be joined.

With regard to at least claim 1, the Henegar reference does not disclose a hot air aggregate that is "moveably mounted to said front outer portion (12) of said wagon (4) by a hinge (11) so that said nozzle (9) can be pivoted inwardly to an active position between the covering layers (6,7)." The Henegar references disclose an apparatus 10 for seaming roofing

membranes. The apparatus 10 includes a carriage 12 and a heating assembly 34. The heating assembly 34 comprises heating elements 38, a fan 40, and a heat duct 42 through which heated air is directed. The heating assembly 34 is carried by a lateral pin 44 which is attached to the carriage 12. Specifically, the heating assembly 34 is received in a mounting collar 45 from which extend a pair of arms 46 that *slide and pivot upon the pin 44* to allow the heating assembly 34 to be inserted and withdrawn from a position to seam the roofing membranes. Thus, while the heating assembly 34 can pivot upwardly and downwardly relative the roofing membranes to be seamed, the heating assembly cannot pivot inwardly toward a position between the membranes. Since the Henegar reference discloses a heating assembly 34 that can slide inwardly, but not pivot inwardly toward a position between roofing membranes to be seamed, the Henegar apparatus 10 does not anticipate the claimed invention.

Since the Henegar reference does not disclose a hot air aggregate that is "moveably mounted to said front outer portion (12) of said wagon (4) by a hinge (11) so that said nozzle (9) can be *pivoted inwardly* to an active position between the covering layers (6,7)," as required by at least independent claim 1, the Henegar patent does not disclose every claim element. Thus, withdrawal of this rejection is respectfully requested.

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With specific reference to claim 3, the Henegar reference also lacks a teaching of a hot air aggregate that is spring loaded in a fastening means by a magnetic lock or a ball lock. While the heating assembly 34 of the Henegar apparatus is pivotably mounted to a pin 44, the Henegar reference is silent regarding any spring mount or any magnetic or ball lock. Since the Henegar patent does not teach every element of claim 3, withdrawal of this rejection is respectfully requested.

Lastly, with reference to claim 4, the Henegar reference does not disclose an extra pressure roller that is "telescopingly mounted the apparatus." While the Henegar patent does teach a center roller 134, the Henegar reference does not disclose how the center roller 134 is mounted to the apparatus 10. Since Henegar is silent regarding a roller that is telescopingly mounted to the apparatus, withdrawal of this rejection is respectfully submitted.

In view of the foregoing, reconsideration of the 35 U.S.C. § 102(b) rejection for anticipation is respectfully requested and favorable consideration and allowance of the claims solicited. Should the Examiner have any questions regarding this response, the amendments submitted herewith, or the allowability of the claims, it would be appreciated if the Examiner would contact the undersigned attorney of record at the telephone number provided

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below for purposes of facilitating prosecution of this
application and for scheduling an interview, if necessary.

Respectfully submitted,

DOWELL & DOWELL, P.C.

By

A handwritten signature in cursive script, appearing to read "Alyssa Ann Finamore", written over a horizontal line.

Alyssa Ann Finamore

Reg. No. 55,177

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